

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT  
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX  
1100 EAST MAIN STREET, SUITE 501  
RICHMOND, VIRGINIA 23219-3517  
[WWW.CA4.USCOURTS.GOV](http://WWW.CA4.USCOURTS.GOV)

NWAMAKA ANOWI  
CLERK

TELEPHONE  
(804) 916-2700

December 27, 2023

Rory L. Perry, II, Clerk  
United States District Court  
Southern District of West Virginia  
P. O. Box 2546  
Charleston, WV 25329

Re: **John Castro v. Andrew Warner et al**  
2:23-cv-00598

Dear Clerk:

Review of the district court docket discloses that the district court may be considering a post-judgment motion (docketed as “Objections”) which, under Fed. R. App. P. 4(a)(4), has the effect of tolling the period in which to file a notice of appeal. A notice of appeal filed after entry of judgment but before disposition of such a motion becomes effective upon entry of an order disposing of the last such motion.

This court will treat the notice of appeal as filed as of the date the district court disposes of such motion and will docket the appeal following disposition of the motion. Please notify this court upon entry of an order disposing of the motion.

If a party wishes to appeal the district court's disposition of the motion, a notice of appeal or amended notice of appeal must be filed within the time prescribed for appeal, measured from entry of the order disposing of the last such motion.

Yours truly,

*/s/ A. Carlheim*

cc: John Castro, plaintiff  
J. Mark Adkins, Esq.  
Richard R. Heath, Jr., Esq.  
William M. Lorensen, Esq.

Douglas P. Buffington, II, Chief Deputy Attorney General  
Curtis R. A. Capehart, Deputy Attorney General  
Chanin W. Krivonyak, Deputy Attorney General  
Michael R. Williams, Principal Deputy Solicitor General  
David E. Gilbert, Deputy Attorney General  
Benjamin P. Sisney, Esq.  
Elgine Heceta McArdle, Esq.